



Sen. Martin A. Sandoval

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09400HB0806sam001

LRB094 03660 MKM 47406 a

1 AMENDMENT TO HOUSE BILL 806

2 AMENDMENT NO. _____. Amend House Bill 806 on page 1,
3 immediately below line 3, by inserting the following:

4 "Section 3. The Mental Health and Developmental
5 Disabilities Administrative Act is amended by adding Section
6 15f as follows:

7 (20 ILCS 1705/15f new)

8 Sec. 15f. Individualized behavioral support plan.

9 (a) As used in this Section:

10 "Behavioral challenges" means episodes of significant
11 property destruction, self-injurious behavior, assaultive
12 behavior, or any other behavior that prevents a person from
13 successful participation in a community-based residential
14 program, as determined by the community support team.

15 "Community-based residential program" means one of a
16 variety of living arrangements in which no more than 8
17 individuals reside together and the setting is designed to
18 promote independence. This includes existing categories, such
19 as community integrated living arrangements, community
20 residential alternatives, assisted residential care, supported
21 residential care, and adult foster care and may also include
22 newly developed settings that are consistent with this
23 definition.

24 (b) Each individual in a community-based residential

1 program for persons with developmental disabilities who
2 exhibits behavioral challenges shall have an individualized
3 behavioral support plan. Each individualized support plan
4 shall: (i) be designed to meet individual needs; (ii) be in the
5 immediate and long-term best interests of the individual; (iii)
6 be non-aversive; (iv) teach the individual new skills; (v)
7 provide alternatives to behavioral challenges; (vi) offer
8 opportunities for choice and social integration; and (vii)
9 allow for environmental modifications. The plan must be based
10 on a functional behavioral assessment conducted by a
11 professional trained in its use. The plan shall be implemented
12 by staff who have been trained in and are qualified to
13 effectively apply positive non-aversive intervention. All
14 behavioral supports required by the plan shall be applied in a
15 humane and caring manner that respects the dignity of the
16 individual and shall be implemented in a positive and
17 socially-supportive environment, including the home.

18 Interventions must not: (1) include electric shock; (2)
19 withhold essential food and drink; (3) cause physical or
20 psychological pain; (4) use drugs as restraints; or (5) produce
21 humiliation or discomfort.

22 Nothing in this subsection shall preclude, for therapeutic
23 purposes, variant scheduling of food or drink or the
24 application of safe and appropriate time-out procedures.

25 (c) The Department of Human Services shall be responsible
26 for developing and promulgating rules to implement the
27 provisions of this Section and to carry out the intent of this
28 Section.

29 (d) To the extent this Section conflicts with Article I of
30 Chapter II of the Mental Health and Developmental Disabilities
31 Code, that Article controls."